

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**FILED**  
June 19, 2006

**BUDDY CONOR HOWELL, #06017522,**  
**Plaintiff,**

**v.**

**LUPE VALDEZ, et al.,**  
**Defendants.**

**CLERK, U.S. DISTRICT COURT**

**3:05-CV-1652-R**  
**ECF**

**ORDER**

After making the independent review required by 28 U.S.C. § 636(b), the Court finds that the Findings, Conclusions and Recommendation of the Magistrate Judge are correct, and they are adopted as the findings and conclusions of the Court.

IT IS ORDERED that the Findings, Conclusions and Recommendation of the Magistrate Judge are ACCEPTED, and (1) that Plaintiff's claims of denial of access to the Courts against Officers Morgan and Cole, including his claim of denial of access to the law library, writing and mailing supplies, (2) that his claim of seizure and deprivation of property against employees of the Dallas Police Department and the City of Dallas, including Chief of Police David Kunkle, Detectives Figueroa, Bassinger, Hall, and Habbard, and Police Officers Hubner, Hannah R. Tamez, and Jeffre Wigginton, and (3) that his claim of inadequate supervision and nutritional food against Sheriff Lupe Valdez, are hereby DISMISSED WITH PREJUDICE as frivolous. See 28 U.S.C. §§ 1915A(b)(1) and 1915(e)(2)(B)(i).

The Clerk shall TERM the following Defendants: Officers Morgan and Cole, Dallas county Sheriff Lupe Valdez, the Dallas Police Department, the City of Dallas, Detectives Figueroa, Bassinger, Hall, and Habbard, and Police Officers Hubner, Hannah R. Tamez, and

Jeffre Wiggington.

IT IS FURTHER ORDERED that SERVICE OF PROCESS shall issue on Plaintiff's claims of denial of medical care for his pre-existing medical conditions (severe high blood pressure and severe depression) by Dr. John Stobo, Dr. Ben Raimer, and Defendant Rita Moss, and on his claims of denial of medical care for his head wound by Medical Technician Emetka Okorochoa.

Since Plaintiff was previously granted leave to proceed *in forma pauperis*, IT IS FURTHER ORDERED that the Court Clerk shall prepare and issue SUMMONS for the Defendants listed below and deliver the same to the United States Marshal for service of process pursuant to Rule 4, Federal Rules of Civil Procedure, along with a copy of the original and amended complaint, Plaintiff's answers to the original and supplemental questionnaire, and the present recommendation.

Defendants

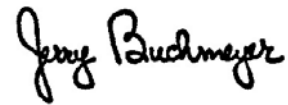
Dr. John Stobo	University of Texas Medical Branch Administration Building, Suite 604 301 University Blvd. Galveston, Texas 77555
Dr. Ben Raimer,	University of Texas Medical Branch Administration Building, Suite 604 301 University Blvd. Galveston, Texas 77555
Rita Moss	Dallas County Medical Director for Mental Health Dallas County Jail Medical Department 3rd Floor 111 Commerce Street Dallas, Texas 75202

Emetka Okorochoa

Medical Technician  
Dallas County Jail  
Medical Department  
3rd Floor  
111 Commerce Street  
Dallas, Texas 75202

FINALLY, IT IS ORDERED that the Court Clerk transmit a true copy of this Order  
Accepting the Findings and Recommendation of the United States Magistrate Judge to Plaintiff.

Signed this 19th day of June, 2006.

A handwritten signature in black ink, appearing to read "Jerry Buchmeyer". The signature is written in a cursive, flowing style.

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UNITED STATES DISTRICT JUDGE